

**BYLAWS OF THE
SAN DIEGO COUNTY
JUVENILE JUSTICE COMMISSION**

Adopted December 4, 2019

PURPOSE

The San Diego County Juvenile Justice Commission (“Commission”) is a state-mandated, court-appointed citizens' commission. Its purpose is to inquire into the administration of juvenile court law in San Diego County, to provide leadership for citizen action and to promote an effective juvenile justice system operated in an environment of credibility, dignity, fairness and respect for the youth of San Diego County.

These bylaws are intended to supplement the governing provisions of state law and to aid the Commission in more effectively discharging its statutory duties and responsibilities. If one part of these bylaws is found to be invalid because it conflicts with state law, no other part of these bylaws shall be affected by such finding of invalidity.

ARTICLE I. STATUTORY AUTHORITY AND DUTIES

Section 1. Authority. The San Diego County Juvenile Justice Commission is established pursuant to the provisions of Sections 225 to 231 of the California Welfare and Institutions (“W&I”) Code.

Section 2. Duties. In accordance with the provisions of the W&I Code and with California Penal Code Section 6030, the Commission has the following statutory duties and authority:

- A. To inspect no less frequently than once a year all publicly administered institutions authorized or whose use is authorized by the Arnold-Kennick Juvenile Court Law (Chapter 2 (beginning with Section 200) of Division 2 of the W&I Code), to inspect annually any jail or lockup within the County that is used for the confinement of any minor for more than 24 hours, and to report the results of such inspections in writing to the Juvenile Court and to the Board of State and Community Corrections (W&I Code Section 229);
- B. To inquire into the operation of any group home in the County that serves wards or dependent children of the Juvenile Court in order to review the safety and well-being of the wards and dependent children (W&I Code Section 229.5);
- C. To inquire into the administration of juvenile court law in a broad sense including, but not limited to, the operations of the Juvenile Court, Probation Department, Social Services Agency and any other publicly-administered institution involved in juvenile delinquency or dependency (W&I Code Section 229);
- D. To prepare special reports, make recommendations to the court, county departments, Board of State and Community Corrections, and to publicize its

findings regarding all matters affecting the administration of the juvenile court law in San Diego County (W&I Code 230);

- E. To hold public hearings on all matters affecting the administration of the juvenile court law in San Diego County. A judge of the juvenile court shall have the power to issue subpoenas requiring attendance and testimony of witnesses and the production of documents at such hearings;
- F. To work with State and local governmental, legislative and administrative agencies for the improvement of the administration of the juvenile court law in San Diego County; and
- G. To advise the Board of State and Community Corrections concerning the confinement, rehabilitation programs, recreation and treatment of juveniles held pursuant to the Arnold Kennick Juvenile Court Law (W&I Code Section 230 et seq.).

ARTICLE II. MEMBERSHIP

- Section 1. **Number.** The Commission shall consist of not fewer than seven nor more than fifteen citizens. Two or more members shall be persons who are between 14 and 21 years of age, subject to their availability to serve and to carry out the duties of a Commission member in a manner satisfactory to the appointing authority (W&I Code Section 225).
- Section 2. **Appointment.** Members of the Commission are appointed by the Presiding Judge of the Superior Court with the concurrence of the Presiding Judge of the Juvenile Court. Recommendations to the Presiding Juvenile Court Judge for membership on the Commission shall be made by the Commission through the Membership Committee. Referrals for consideration and review by the Membership Committee and the Presiding Judge may be made by community groups, elected or appointed public officials or by private citizens.
- Section 3. **Term of Office.** The term of office is four years, starting on July 1 and expiring four years later. Members may be reappointed at the discretion of the Court. No initial term is to be made for less than four years, unless the person is completing an unexpired term, as described in W&I Code 225.
- Section 4. **Qualification.** Each person appointed shall appear before the appointing judge or their designee and qualify by taking an oath to faithfully perform the duties of a member of the Commission. Each person appointed shall sign and abide by the Juvenile Justice Commission Code of Ethical Conduct. The qualification of each member shall be entered in the records of the Commission.
- Section 5. **Resignation.** Any member desiring to resign from the Commission shall submit their resignation in writing to the Chairperson of the Commission with a copy to the Presiding Juvenile Court Judge.

Section 6. Attendance. The attendance of members shall be taken and recorded in the minutes of all Commission meetings. If any member is absent for three regular meetings in a fiscal year, a review of that member's status will be undertaken by the Chairperson. The Chairperson shall notify the Presiding Juvenile Court Judge of their findings and shall recommend appropriate action.

Section 7. Minimum Participation. Members are expected to participate as a team member on at least one scheduled juvenile institution inspection and at least two scheduled jail and/or lock-up inspections per year and to serve on standing or ad hoc committees as needed.

Section 8. Conduct. Membership of the Commission is at the discretion of the Presiding Judge of the Superior Court, or designee, with the concurrence of the Presiding Judge of the Juvenile Court. As such, members are expected to abide by the ethics and values inherent to the position, including:

- A. Members shall use the authority of the Commission only in the interest of the youth of San Diego County, and shall use discretion, diligence and integrity in conducting business of the Commission;
- B. Members shall not use their status to exert undue influence or obtain favors from the Court or County on behalf of any youth;
- C. Members of the Commission shall refer all personal appeals, applications, complaints, and other communications concerning the business of the Commission to the Chairperson of the Commission for investigation and report to the Commission; and
- D. Members shall keep Commission matters, juvenile records, cases observed, investigation specifics and/or inspection reports confidential prior to approval and release.

Section 9. Removal from Membership. Members serve at the discretion of the Presiding Judge of the Superior Court, or designee, with the concurrence of the Presiding Judge of the Juvenile Court and may be removed with or without cause. Whenever a regular member of the Commission is unable to carry out the duties of a Commission member in a satisfactory manner to the Commission, the Chairperson of the Commission shall recommend to the Presiding Judge of the Superior Court, or designee, with the concurrence of the Presiding Judge of the Juvenile Court, that the member be removed from membership on the Commission. Reasons for removal may include, but are not limited to, the following:

- A. A violation of the Bylaws;

- B. Failure to attend the required number of meetings of the Commission.;
- C. Failure to complete the required number of inspections; or
- D. Conduct unbecoming a member of the Commission.

ARTICLE III. OFFICERS

- Section 1. Title and Term of Office. The officers of this Commission shall be a Chairperson, a Vice Chairperson and a Second Vice Chairperson, who shall serve two year terms. Officers may be elected to more than one term in office but may serve no more than two consecutive terms in the same office.
- Section 2. Elections. Officers shall be elected at the regularly scheduled Commission meeting in June of every other year and shall take office on July 1 of every other year.
- Section 3. Vacancies. If the Chairperson's position becomes vacant or in the absence of the Chairperson, the Vice Chairperson shall assume that role. In the event of a vacancy in both the offices of the Chairperson and the Vice Chairperson, an election for those two offices shall be held at the next regularly scheduled meeting. In the event of a vacancy in the Vice Chairperson position, or in the Second Vice Chairperson position, the Chairperson shall appoint a member to complete the term of that office.
- Section 4. Temporary Absence. In case of the absence of the Chairperson, the Vice Chairperson and the Second Vice Chairperson at any meeting of the Commission, the members present shall select a Chairperson pro tem.

ARTICLE IV. DUTIES OF OFFICERS

- Section 1. Chairperson. The Chairperson shall preside at all meetings of the Commission and shall perform such duties as pertain to this office, including being the primary point of contact for the Commission. The Chairperson shall notify the Court of any vacancies and the attendance status of members. The Chairperson may nominate committee chairpersons as necessary to ensure that the Commission fulfills its mission and mandates.
- Section 2. Vice Chairperson. The Vice Chairperson shall preside at all meetings of the Commission in the absence of the Chairperson and shall perform such additional duties as may be assigned. The Vice Chairperson shall chair the Membership Committee and shall coordinate special projects as requested by the Chairperson.
- Section 3. Second Vice Chairperson. The Second Vice Chairperson shall be responsible for presiding at meetings of the Commission in the absence of the Chairperson and Vice Chairperson. The Second Vice Chairperson shall chair the Critical Incidents Committee and shall coordinate special projects as requested by the Chairperson.

ARTICLE V. MEETINGS

- Section 1. Open Meetings. The Commission is an adjunct of the state judiciary and is therefore not subject to the open meeting requirements of the Ralph M. Brown Act (California Government Code Sections 54950 et seq.). The Chairperson may close any regular or special meeting to the public as is deemed necessary and appropriate.
- Section 2. Meeting Time and Location. The regular meeting of the Commission shall be held on the first Wednesday of each month as scheduled by the Chairperson. These meetings may be open to the public. Quarterly meetings are open to the public and are ordinarily held on the third Wednesday of January, April, July and October, respectively, at 12:00 noon. Meetings will take place within San Diego County as the Commission shall designate. A schedule of meeting times, dates and places shall be promulgated from time to time by the Commission. The Commission may merge monthly and quarterly meetings into a single day, as determined by the Chair and Commission. The Commission shall establish a policy for public communications at meetings which are open to the public. This policy shall be publicly posted on the Commission's webpage.
- Section 3. Special Meetings. Special meetings of the Commission may be open to the public and may be called at any time and place within the County as designated in the notice and call of the special meeting. A special meeting may be called by the Chairperson or by any three members on 24-hours' written notice unless such notice is waived by all members of the Commission. Waiver of this requirement by each member of the Commission shall be noted in the minutes of the special meeting. Nothing in this section shall be construed to prevent the convening authority of the special meeting from closing any special meeting of the Commission to the public if such closure is ordered in the call of the meeting, as long as closure is not inconsistent with the laws of the State of California. A majority vote of the Commission may order any special meeting open to the public at any time on majority vote.
- Section 4. Annual Planning Meeting. At an Annual Planning Meeting held between July and September of each year, the Commission shall formulate its goals and objectives for the ensuing year.
- Section 5. Quorum. A quorum, defined as a majority of Commission members, must be present to transact official business. If no quorum is present, the official meeting shall be adjourned. If those present choose to remain, all discussions shall be considered informal and no motions shall be considered.
- Section 6. Agenda. The Chairperson shall approve an agenda for each regular meeting of the Commission that shall be distributed to each member of the Commission at least four business days in advance of each regular meeting. Nothing in this section shall be construed to prohibit the introduction of agenda items, which through the exercise of due diligence could not have been placed on the agenda and which require early action by the Commission. Members of the Commission desiring to place items on the

agenda should contact the Chairperson. Any member of the Commission at any meeting may bring up items introduced solely for informational purposes and which involve no request for immediate action by the Commission.

- Section 7. Commission Business. Commission business and the business of its committees shall be decided by a majority vote of the members present at a meeting at which there is a quorum, except as specified elsewhere in these bylaws.
- Section 8. Suspension of the Order of Business. The order of business may be suspended at any time during any meeting of the Commission by a majority vote of the members present.
- Section 9. Records. The official record of Commission meetings shall be known as the minutes and shall be a record of actions taken by the Commission. The assigned Commission staff person shall record the minutes of all meetings of the Commission and shall handle Commission correspondence. The Commission staff keeps the roll, certifies the presence of a quorum, maintains a list of all active members and keeps records of actions as they occur at each meeting.

ARTICLE VI. CRITICAL INCIDENT REPORTING

- Section 1. Agreements with Agencies. In order that the Commission may meet its responsibilities under the Welfare and Institutions Code, the Commission Chairperson is hereby authorized and directed to negotiate agreements with the Probation Department, the San Diego County Health and Human Services Agency, and the San Diego County Office of Education for the production of written critical incident reports, requiring the reporting of serious incidents or conditions affecting the children who come within the jurisdiction of the Juvenile Court.
- Section 2. Notification in Writing. It is the intent of the Commission that with respect to minors confined in juvenile detention facilities or placed in emergency shelter homes, or supervised on probation or under the supervision of the Health and Human Services Agency, such agreements shall include a provision that the Commission Chairperson and the Commission Administrative Officer be notified in writing within 24 hours of any serious incidents or conditions affecting the children who come within the jurisdiction of the Juvenile Court.
- Section 3. Serious Incidents. For purposes of this Article, “serious incidents or conditions affecting the children who come within the jurisdiction of the Juvenile Court” shall include, but not be limited to the following:
- A. Fatalities;
 - B. Near fatalities, serious bodily harm and suicide attempts;

- C. Criminal conduct of employees, contractors or caretakers that relates to minors;
- D. Serious acts of violence between youth;
- E. Serious injuries to employees, contractors or caregivers;
- F. Incidents that require intervention with a weapon or chemical agent;
- G. Public health risks;
- H. High profile incidents;
- I. Evacuations; or
- J. Other Incidents.

ARTICLE VII. COMMITTEES

The Commission may establish committees to perform any functions under the jurisdiction of the Commission. Committees should have a Chairperson and their meetings shall be open to any member of the Commission. Committees may seek outside expertise from community members, however, no confidential information may be shared with non-Commission members. Any Commission member may recommend the creation of a committee. The Commission may operate the following committees:

- Section 1. Membership Committee. The Commission Chairperson may appoint a Membership Committee which reviews new member applications, coordinates recruitment efforts, and provides guidance and training for new members;
- Section 2. Critical Incidents Committee. The Commission Chairperson may appoint a Critical Incident Committee which reviews serious and critical incident reports from the Probation Department, the Health and Human Services Agency, and the San Diego County Office of Education for the purpose of summarizing trends and concerns to the full Commission and assisting in the periodic inspections of juvenile facilities and lockups; and
- Section 3. Awards Committee. The Commission Chairperson may appoint an Awards Committee which coordinates and selects recipients for Juvenile Justice Commission Awards and works with Commission staff to arrange an annual awards ceremony.

ARTICLE VIII. RELEASE OF INFORMATION

- Section 1. Communications. The Chairperson of the Commission or other Commission member

designated by the Commission shall be the spokesperson with County agencies and/or personnel as well as with the media. All press or media contacts shall be referred to the Chairperson.

Section 2. Correspondence. All correspondence on behalf of the Commission shall be sent only with the approval of the Chairperson or with the approval of a majority of Commission members voting at a regularly scheduled meeting at which a quorum is present. Correspondence shall reflect the title of Chairperson.

Section 3. Individual Commission Members. Individual members acting in their own individual capacities have no authority to commit the Commission to any policy determination or course of action unless the Commission has previously authorized or subsequently ratified such act by an individual member of the Commission. Nothing in this section shall be construed to prevent members from expressing themselves as individuals, but such action should, where appropriate, include a disclaimer that such expression is made in an individual capacity and not as an official statement for the Commission.

ARTICLE IX. PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order shall guide the Commission in all cases to which they are applicable to the extent they are not inconsistent with these bylaws or any specific rules of order that the Commission may adopt.

ARTICLE X. REVISION OF BYLAWS

The Commission may review these bylaws at the Annual Planning Meeting, or as needed, to ensure that they reflect applicable laws. These bylaws may be revised at any regular meeting by two-thirds of the members in attendance, provided that the revision to be voted upon was submitted in writing at the previous regular meeting of the Commission and is listed on the agenda as an item for discussion. All previous bylaws are hereby superseded.

Adopted November 6, 2019

Yvette D. Klepin
Chairperson